

DAVID SAMSON  
ATTORNEY GENERAL OF NEW JERSEY

By: **Megan K. Matthews**  
Deputy Attorney General  
Division of Law - 5th Fl.  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101  
Tel. (973) 648-7454

**FILED**

February 28, 2003  
**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF MEDICAL EXAMINERS

---

IN THE MATTER OF THE SUSPENSION :  
OR REVOCATION OF THE LICENSE OF : Administrative Action

**JAY KURIS, M.D.**  
License No. MA25427

**CONSENT ORDER**

TO PRACTICE MEDICINE AND SURGERY :  
IN THE STATE OF NEW JERSEY

---

This matter was opened in January 2001 to the New Jersey State Board of Medical Examiners ("**Board**") by the receipt of information indicating that Dr. Kuris had **provided** receipts for medical treatment rendered **by** another, unlicensed, individual.

Respondent appeared **with** counsel before a Preliminary Evaluation Committee ("**Committee**") of the New Jersey Board of Medical Examiners on August 28, 2002 and testified that **upon** occasion Penny Saltzman, CADC ("**Saltzman**") purchased his supervisory guidance on an hourly basis. Dr. Kuris identified and **reviewed** the bill he had rendered **to** Saltzman for his **services**. Eventually, that bill **was** given to her patient. The bills

**CERTIFIED TRUE COPY**

were produced on Dr. Kuris' stationary, with Saltzman's name appearing nowhere on the bill. However, Dr. Kuris testified that the itemized list of visits on the bills reflected the dates that Saltzman and her client met, not the dates that Dr. Kuris consulted with Saltzman. The bills reflect charges for two of the patient's missed appointments with Saltzman. Further, the receipt shows the fee Saltzman charged her client, not the fee that Dr. Kuris charged Saltzman for his supervision.

Dr. Kuris has used the same billing method for all the patients for which he provided Saltzman with supervisory guidance. He stopped using this billing method in April of 2001 when the Board brought the matter to his attention. Also, he has not initiated any new supervisory patients with Saltzman, and has phased the existing patients out. He has not provided Saltzman with supervision since April of 2002.

The above conduct constitutes aiding and abetting of misrepresentation, deception, and false pretense in violation of N.J.S.A. 45:1-21(b) and also constitutes aiding and abetting the preparation of a written statement that is intended to be presented to an insurance company in support of a claim for payment in violation of N.J.S.A. 17:33A and thus in violation of N.J.S.A. 45:1-21(k).

In determining an appropriate resolution to this matter, the Board has taken into account Dr. Kuris' assertion that he was unaware of and had not given his consent to some of the specific uses at issue here. While Dr. Kuris may not have intentionally misled or deceived, the bills issued on Dr. Kuris's letterhead created the impression that the services rendered by Saltzman had in fact been provided by Dr. Kuris. The use of these bills represent a serious error in judgment on the part of Dr.

Kuris. The Board **accepts** Dr. Kuris' assertion that he intended his actions, **practices** and procedures **be** fully consistent with ethical, legal and professional **obligations** *as* commonly recognized and interpreted by the practicing community of licensed professionals in this area. The Board gives particular weight to Dr. Kuris' voluntary **decision** to cease the **aforementioned** billing arrangement and his assertion that he made no improper personal **gain** from **the** said **billings**. The Board **recognizes** Dr. Kuris' cooperation and willingness to modify his professional practice and to ensure **avoidance** of any appearance of such problems in the **future**.

Respondent being desirous of resolving this matter, and the Board finding the within Order to be adequately protective of the public interest;

IT IS THEREFORE on this 17<sup>th</sup> day of February, 2003,

ORDERED that:

1. Respondent Jay Kuris, M.D., be and hereby **is** reprimanded for aiding and abetting deceptive **billing** practices in violation of N.J.S.A. 45:1-21(b) and aiding and abetting the preparation of a written statement that is intended to be presented to an insurance company in support of a claim for payment in apparent violation of N.J.S.A. 17:33A and thus in violation of N.J.S.A. 45:1-21(k).

2. Respondent shall **take** and successfully complete, at his **own** expense, a Board approved course in appropriate record keeping techniques and a Board approved course in ethics. Successful completion means that all sessions were attended, all assignments were properly and appropriately completed, and a passing grade was **achieved** which was unconditional and without reservations. Respondent shall submit to the

Board **verification** of the successful **completion** of **said** course within twelve (12) months hereof.

3. Respondent shall pay a **civil** penalty in the amount of \$2500.00 upon the execution of this order.

STATE BOARD OF MEDICAL EXAMINERS

By: William V. Harrer M.D. B.L.D.  
William V. Harrer, M.D., B.L.D.  
President

I **have** read and understood the within Order and agree **to be** bound by **its terms**. **Consent** is hereby given to the Board **to** enter this Order.

Jay Kuris M.D.  
Jay Kuris, M.D.

I hereby acknowledge that I **have** read **and** consent to the form of the **Order** above.

Richard Tanner  
Richard Tanner, Esq.